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## **'Listening intently' to LGBTQI Lives: diplomatic narratives of listening and hearing in LGBTQI rights.**

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## **'Listening intently' to LGBTQI Lives: diplomatic narratives of listening and hearing in LGBTQI rights.**

### **Abstract**

This paper examines how public diplomatic practices of listening operate within unequal and often chaotic transnational spaces. In analysing transnational listening, the paper distinguishes between interpersonal and state based listening and argues that states – as polyvocal, multiscalar assemblages - listen differently to individuals. In particular, while interpersonal listening retains the possibility of openness, uncertainty and being moved unexpectedly by what is heard, state based listening is focused much more closely upon listening as a device of organisation and control.

To explore the operation of state based listening, the paper undertakes a case study of US public diplomatic promises to 'listen' to LGBTQI rights activists between 2011 and 2016. It explores why listening was such an important tool in the US's diplomatic arsenal during this period and the importance of claims to 'listen' in countering accusations of cultural or economic imperialism. The paper then proposes a typology of how the US used listening to further its strategic goals. In exploring the parameters of this typology, the paper concludes that by taking seriously the challenge to 'listen intently' we can begin to re-think the spatial, temporal and legal framings that limit the possibility of being heard.

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# **‘Listening intently’ to LGBTQI Lives: diplomatic narratives of listening and hearing in LGBTQI rights.**

**Kay Lalor**

## **Introduction**

To our friends and partners, allies, and advocates doing the most challenging and difficult work in the most challenging and difficult of places, let me assure you that ... the United States Government is fully committed to promoting and protecting your human rights. And to do that we must continue to engage with and listen intently to the views and needs of local rights organizations taking up the banner in hundreds of places around the world.

*US Special Envoy for the Human Rights of LGBTI people, Randy Berry, 2015*

The quote above is typical of the deployment of promises to listen in public diplomatic communication. This paper explores public diplomatic ‘listening’ through a case study of how diplomats from one state – the US – claimed to listen to LGBTQI partners between 2011 and 2016. By focusing narrowly on public diplomacy and LGBTQI rights during a five-year period it is possible to analyse the diplomatic and foreign policy actions of a particular administration at a particular time while also exploring the way that sweeping promises to listen contribute to a larger narrative of US power, stability, and international

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leadership. Listening, as a tool deployed by different elements of the multi-layered assemblage that is the US state, invokes a promise of attentiveness that is never fully fulfilled. The gap between the strategic deployment of listening and its unmet promise poses questions of both *how* a state listens – and how this differs from interpersonal listening – and *why* states might deploy listening as a diplomatic tool.

Approaching listening as a diplomatic tool shows clearly that US diplomats, State Department officials and other actors were never fully attuned or attentive to the voices of local partners. This failure to fully hear demonstrates the need to pay close attention to what a state means when it claims to listen, not because a state cannot listen, but because it listens differently – with associated dangers and opportunities for queer activists. Understanding how and why a state listens and how this differs from interpersonal listening is thus vitally important to SOGIESC (Sexual Orientation, Gender Identity and Expression and Sex Characteristics) and human rights scholarship and activism. To this end, the paper offers a typology of how and why the US listened to LGBTQI activists. It explores the politico-legal advantages of listening and conceptualises the listening employed by the US as a spatio-temporal organising tactic intended to secure US authority and leadership in a fragmented transnational landscape.

The paper begins by distinguishing between interpersonal and state-based listening. It then discusses the transnational legal and diplomatic context in which listening to local partners occurs. Having outlined this context, the paper introduces the Obama administration’s approach to public diplomacy and LGBTQI rights and the public diplomatic sources that were analysed. Drawing upon these sources, the paper then develops a typology of ‘listening as positionality’ and ‘listening as authority’ to show how listening and partnership were directed towards securing US strategic interests, thereby limiting the extent of what ‘listening to local partners’ can achieve.

### **Interpersonal and Institutional Listening**

Exploring the importance of diplomatic listening first requires an

analysis of what listening entails. There is no guarantee that a speaker will be listened to – especially in conditions of extreme inequality (Spivak 2010: 62–63). This section explores listening's potential and promise, and demonstrates how deep listening and interpersonal communication differ sharply from state based listening.

Listening opens up wider ethical questions of the power relations of communication. Sara Ahmed argues that '[t]o hear, or to give the other a hearing, is to be moved by the other, such that one ceases to inhabit the same place' (2000: 155). For Ahmed, hearing is movement: to listen is to be prepared to change our orientation to the world, to face our discomfort with what we hear and to be repositioned as embodied, knowing subjects (Ahmed 2016: 27). There is some contrast here between Ahmed's discussion of hearing and literatures of listening that draw a distinction between hearing as a physical act and listening as attending both acoustically and psychologically to perceptions (Lipari 2014: 197, Oliveros 2005: xxi). However, the underlying ethos of listening as an 'encounter' remains. Listening forces us to hesitate, to question our established patterns, and to open up to new forms of action and thought: it is uncomfortable, dangerous and difficult (Lipari 2014: 182).

Thus, active or 'deep' listening expands perception of the vastness of the sonic environment allowing for a re-orientation within the time/space continuum of sound (Oliveros 2005: xxi). To listen is to be vulnerable (Lipari 2014: 174, Ratcliffe 2005: 3, Stauffer 2015: 70). It involves the conscious and unconscious perception of and distinction between different sounds in a soundscape that is often multiplicitous, reverberant and cacophonous. It requires an active engagement with those sounds in order to find resonance with particular patterns, even though some of them will be beyond our understanding. To this end, Lisbeth Lipari argues for akroatic thinking, or 'thinking listening as a way of being' (2014: 2). To think akroatically is to move beyond the idea of listening as simply part of a process by which speech or sound is transmitted through expected forms. It allows an openness to the 'harmonic interconnectivity of all beings and objects', in order to move

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beyond the known pathways of language and communication that we normally occupy (ibid).

Listening in this way is micropolitical (Bassel 2017: 11). It is a relationship or relationality (Nancy 2007: 12). And it is marked by uncertainty and the possibility of incomprehension, discomfort, or miscommunication (Lipari 2014: 139, 184). Yet through this uncertainty and discomfort, we are forcefully reminded of our interconnection with others in an acoustic and communicative environment. Indeed, Jill Stauffer (2015) reminds us of the extreme dehumanisation that results from not being heard – the 'ethical loneliness' of the denial of the sociality and security of listening. What is unclear here however, is what happens when the dynamics of listening are deployed not just (or only) at an interpersonal level, but as an institutional practice – can listening occur between a human actor and a non-human state? What would it mean to 'listen like a state'? (Scott 1998).

While it cannot physically 'hear', the state or its institutions might still perceive and attend carefully to a speaker or sound. This may simply involve the representatives or agents of a state listening attentively (for example, Ramshaw and Mulholland 2017), with the effects of that listening amplified by the power of the state. But there is a second, alternate meaning to 'listening like a state' here, one that envisages the state – as a non-human disaggregated assemblage – listening, not just through intermediaries but *as a state*.

The sensorial capacities of the state have been explored in the context of seeing (Scott 1998) and feeling (Cooper 2019). For James C. Scott (1998:3), how a state sees is a question of how populations, subjects and environments are made legible, with the state engaging in practices of simplification and codification to produce this legibility. Davina Cooper (2019) questions how the state might be imagined differently and what kinds of beliefs should be part of its composition, she also attends to the 'representational and organisational work' undertaken by legal narratives 'in telling a particular, *authoritative* story of events, depicting a social drama that, in the process, they also actualize and shape' (Cooper 2019: 17). Reading Cooper in conjunction with Jacques

Rancière's distinction between those who are perceived as rational, speaking agents, and those who have 'no logos': whose speech is merely noise, invites the question of who is included or excluded – and thus who is heard – within a legal narrative (Rancière 1999: 22). This focus distinguishes between those who do and do not 'have a part' in a political community (Ibid: 11). Of interest in this paper is the way in which the language of listening is used to maintain an account of what speech or voices are perceptible, and thus 'have a part' of international spaces and the way in which the US has deployed this language in its public diplomacy.

Thus, the kind of listening performed by the state is not the unmediated perception of all sound on an equal basis. An economy of listening exists within which a state's sensorial capacity is directed towards organisation and classification. Moreover, the state is 'polysemic' – it will fill a variety of different functions at different times, with different modes of state regulation and action emerging in different situations (Cooper 2020: 6). A polysemic, multi-scalar state can listen simultaneously across multiple sites, for a multiplicity of purposes, necessarily sacrificing the intimacy of the interpersonal. In this respect, state listening shares some features with Seth Kim-Cohen's concept of 'shallow listening' (Kim-Cohen 2015). Rather than the 'tunnel vision' of deep listening, Kim-Cohen makes a call to '[a]llow our listening attention to overflow the cavity of sound in itself' in a way that attends to the contingency, 'plurality and contextuality' of sound and meaning (Kim-Cohen 2009: xvii). For Kim-Cohen, sound derives meaning from 'context, from intertextuality, from the play of difference in its conceptual and material strata' (2013: 88). To listen shallowly is to listen with an awareness of the phenomenological, institutional, and discursive sites from which sounds emerge and interact.

The (shallow) diffusion of a state's perception across a soundscape will necessarily affect how it perceives its (human and non-human) interlocutors and how it is moved by what they say. Thus, while a listening state might be conceived as a body within a soundscape, when the state listens, there is less chance of a single, auditory, deep



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and focused interaction with an 'other', and more chance of a process of organisation and representation of the myriad available interactions, narratives, scales and frameworks that make up the state assemblage. In short, the state's multi-scalar positioning and predisposition to organise and represent (rather than be moved by) what is heard changes its capacity to listen. Lipari characterises listening as a giving up of control, or uncertainty and openness to otherness rather than an immediate pursuit of sense making (2014:102): listening as resonance rather than listening as logos (Nancy 2007: 9). However, institutions of the state often fail to maintain this careful balance of connecting to otherness without also subsuming the other into an already existing schema or language of classification (Stauffer 2015: 83). When a state listens and who it listens to will remain under state control – the multi-scalar listening of the state does not lead to the kind of akroatic thinking or abandonment of well-worn patterns of communication advocated by Lipari. The uncertainty and openness of listening found within interpersonal interactions is difficult to maintain across the scalar divide of individual and state. The remainder of the paper explores how the US 'listened' to LGBTQI rights during a particular period of recent history. The language of listening – with all its implications and promises – was regularly deployed, but the actual practice of listening was not able to achieve the deep, open listening discussed above.

### **Transnational Legal Frameworks of Fragmentation and Change**

This section develops the question of state-based listening by exploring how states are positioned within wider transnational landscapes and the impact of this positioning on state listening. It conceives of the transnational legal-diplomatic sphere as a continuous, overlapping and chaotic lawscape that states must manage and navigate.

Viewing the state as positioned within a transnational lawscape makes it possible to recognise the expanded environment within which a state listens.<sup>1</sup> Within the lawscape, law and space fold around each other as a co-extensive and interdependent continuum

(Philippopoulos-Mihalopoulos 2014: 4). The lawscape challenges the idea of discreet or separate jurisdictions and exposes the relationships between legal transformations, effects and affects across different scales and dimensions. Legal changes resonate through a lawscape, orienting human and non-human bodies in different ways and producing different outcomes in different locations. Thus, the lawscape can be conceived as a fractured multiplicity: temporally marked by moments of stability or order but always moving and open to the possibility of change. In this regard, transnational legal and TWAIL (Third World Approaches to International Law) scholarship have emphasised the contested and fractured nature of transnational lawscapes. International law is no longer just the distant actions of international legal organisations (Cotterell and Del Mar 2016, Dilling and Markus 2018, Sullivan 2014). It is domesticated and brought within national legal practice (Anghie 2006, Eslava 2014, 2015, Eslava and Pahuja 2012, Rajagopal 2006, Zumbansen 2013). Changes to legal architectures are accompanied by globalised flows of information, money, norms and identity, that cross and challenge legal, physical and cultural borders (Greenhouse 2005:202, Hocking 2005:37). The transnational sphere becomes a multiplicity that enters into and redraws connections between different domestic spaces, creating a landscape where the state is not the only, or even the most powerful authority (Cotterell and Del Mar 2016, Rajagopal 2006).

The pressures of transnational multiplicity influence states differently, but even the most powerful are affected by the breakdown of the strict demarcations between the domestic and the international (Greenhouse 2005: 202). At stake in these processes is a state's capacity to manage its position within fluid international spaces. In the early years of the 21st century, international actors reacted to this challenge by seeking new forms of engagement: '[c]hallenged by evermore complex, multifaceted agendas, there is a necessity to establish policy networks of varying scope and composition, which may, for example, bring together governmental actors, civil society organizations (CSOs) and business' (Hocking 2005: 37). Hierarchical flows of information were replaced by multidirectional flows in which diplomacy has become

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a 'multi-level endeavour' (ibid). Law is characterized by the coexistence of multiple (interacting) legal orders and regimes (Burchardt 2017: 305).

Transnational fragmentation, overlapping jurisdictions and competing case law all raise the possibility of inconsistencies in international law (Cotterell and Del Mar 2016: 3-4). For some, this represents a crisis: a 'serious risk: namely the loss of overall control' (Guillaume J cited in Koskeniemi et al 2002: 555). Yet as Martti Koskeniemi and Päivi Leino (2002) note, it is those set to lose power and authority – both domestically and internationally – who most often make these complaints. What arises, they argue, is a new kind of global arrangement of 'informal relationships between different types of units and actors while the role of the state has been transformed from legislator to a facilitator of self-regulating systems' (ibid: 557). In this configuration, the international landscape is striated by increasingly complex sets of legal and non-legal relationships that come together in multiple and often conflicting ways. The position of the state within this landscape is certainly significant, but state power must contend with a multiplicity of transnational forces.

Within this lawscape, voice and language are powerful means to give form to this chaos (Parker 2018a: 16, Philippopoulos-Mihalopoulos 2014: 41). A shifting, dynamic and moving lawscape cannot necessarily be controlled, but different aspects of it can be brought into resonance or rendered more significant within a particular legal imaginary. To draw again on Rancière, certain actors are given a part of the international political community and thus able to speak in a way that is comprehended. These voices – including those of public diplomatic actors – undertake the representational organisational work that brings bodies, spaces or series into resonance, stabilising certain bodies relative to each other and relegating others to the margins. The danger however is that institutions struggle to listen to that which falls outside their already existing modes of organisation and comprehension (Stauffer 2015: 63, 83). Indeed, some of those who 'have no part' of the international lawscape may occupy this position as a result of deliberate withdrawal.<sup>2</sup> Queer and LGBTQI literature has explored the

limitations of the state for securing queer justice (for example, Franke 2012). For the purposes of this paper however, refusal to speak is notable in itself as a wider refusal of the claims to legitimacy that are made by the US through its promise to listen. Silence then, is one response to the issue explored in the section below: the historical relations of gender, sexuality and state formation and how these relations have limited the capacity of the US to listen to that which was new or challenging.

## **US Public Diplomacy and LGBTQI rights 2011-2016**

Sexuality has long been a tool of transnational governance: there is a direct connection between imperial control of sexuality and the diplomatic documents discussed in the second half of this paper. Thus, an established framework of gender, sexuality, and law as well as an economy of listening (or not) to local partners long predates the diplomatic promises to listen in 2011-2016.

During the period of imperial conquest, the racialised, sexualised, uncivilized 'other' became the focus of the imperial 'civilizing mission', in which the non-European world became both the 'space of illicit sexuality, unbridled excess, and generalized perversion' (Puar 2007: 75) and the chaotic inferior to be controlled (Anghie 2007, McClintock 1995). These imperial classifications devolved upon a civilized/uncivilized binary where 'unruly' sexualities of colonised states required regulation and order (Weber 2016: 35). These 'sexualized orders of international relations' persisted past the end of official imperial rule (ibid: 143). They remain deeply invested in questions of statehood and sovereignty (Puar 2013: 337).

This history is the context and background of diplomatic practice on LGBTQI rights under the Obama administration, particularly following the 2011 US Presidential Memorandum, directing 'all agencies engaged abroad to ensure that U.S. diplomacy and foreign assistance promote and protect the human rights of LGBT persons' (White House OPS 2011). Following the memorandum, the US took public and private steps to advocate for the protection of SOGI minorities (for example: Jjuuko 2016). It supported SOGI rights at

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UN human rights bodies and at multilateral institutions such as the World Bank (Feder 2014). Embassies and consulates participated in Pride events (Siaosi 2015, US Embassy Manila 2015, US Mission Cote d'Ivoire 2015, US Mission Argentina 2015). Embassies and consulates also hosted meetings to connect activists and sympathetic allies and policy makers (Berry 2016a). On a number of occasions, foreign aid funding and other assistance was re-directed as a result of anti-LGBTQI policies in aid receiving states (Harris and Pomper 2014).

Thus, the promotion of LGBTQI rights expanded beyond 'traditional' quiet diplomacy. It is this public diplomacy that this paper addresses. Public diplomacy has a variety of definitions (Cull 2009: 12, Melissen 2005: 11, Sharp 2005: 106, Zahana 2010: 4). Its key features however, are those of communication, relationship building and engagement with foreign publics as well as government officials in order to pursue national interests and to manage the international environment (Melissen 2005: 24). The paper draws upon a State Department archive of public diplomatic documents: speeches, statements, press releases, blogs and other public interventions on LGBTQI rights uploaded to the US *humanrights.gov* website. Between 2011 (the date of the Presidential Memorandum signalling strong support for SOGI) and 2016, 270 documents were uploaded, consisting of 27 blog posts, 14 fact sheets, one interview, five Presidential Memorandums or Proclamations, 17 Press Releases, 88 speeches, 118 statements (of which 27 were statements to the UN bodies).

These documents were a deliberate act of branding and narrative creation – a use of already existing frameworks to shape a landscape. As such, they do not tell the whole story of this period. Nevertheless, they still represent an important historical record, particularly as the documents were removed from the *humanrights.gov* website in February 2017. As an archive, the documents 'wield power over the shape and direction of historical scholarship, collective memory, and national identity, over how we know ourselves as individuals, groups, and societies' (Schwartz and Cook 2002: 2). The second half of this paper explores this dynamic in more detail in order to outline how

institutional ‘listening’ often involves a very selective form of perception.

## **Listening to Our Local Partners**

The sections above foregrounded the power of listening in regulating a lawscape, exploring how listening can be deployed deliberately to do important diplomatic work. This section explores why listening was an important part of the toolkit of US diplomats.

The first stage in analysing US public diplomacy of listening is the identification of the ‘story’ that the US wanted to tell. A key theme within the US public diplomatic ‘archive’ was that of ‘partnership’:

... we are a part of a global movement - we as the United States are one player, amongst many. We recognize that our efforts must be guided by the work of civil society organizations that push for social change in their own contexts (Berry 2016b).

In the 131 documents produced during the final two years of the Obama administration, there were 150 references to partnership in 77 different sources.

Language of partnership was accompanied by the promise to listen to those partners:

...the approach is to start always by listening to our local partners, to those who are standing up for these rights in communities where the odds are so stacked against them – hearing from them how we can most effectively empower them to lead their own efforts to equality (Power 2016a).

The promise to listen here requires some unpacking. A claim to listen may not result in deep or meaningful listening, or even produce predictable outcomes. Adrian Jjuuko’s (2016) account of the efforts of Ugandan lawyers and activists to push back against the introduction of the Anti-Homosexuality Act (AHA) that would have further criminalised and harmed LGBTQI communities in Uganda is a good example of this. The passage of the AHA led to international outcry and the Ugandan Civil Society Coalition on Human Rights and Constitutional Law (CSCHRCL) immediately began work to

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channel this international support (Jjuuko 2016: 128). By managing international support – by insisting that they be listened to – the CSCHRCL was able to draw upon international partners to produce a number of positive outcomes from simple moral boosting to more tangible effects such as contributions to legal submissions (Jjuuko and Mutesi 2018: 288). International partners also contributed security, immigration support and leverage in official conversations (Jjuuko 2016: 128-132). Efforts to challenge the AHA in the courts were ultimately successful (ibid:126). Additionally, there is some evidence that the international outcry against the legislation dampened enthusiasm for introducing further bills targeting sexual minorities (Jjuuko and Mutesi 2018: 298).

Two points emerge from Jjuuko's account. First from the perspective of the CSCHRCL, the most effective international support was that which took place through quiet diplomatic channels. Public international condemnation of the AHA was often problematic – indeed several years earlier, UK PM David Cameron suggested that aid money could be withheld or redirected as a response to homophobic legislation passed by aid receiving states (BBC 2011). The image of a colonial power withholding money in response to a former colony's domestic legislative activity sparked angry backlash, put activists on the ground in danger and reinforced the idea that homosexuality was a Western invention and imposition (Jjuuko 2016: 132, Nyanzi and Karamagi 2015).

Second, however, even with the best efforts of activists to be heard by international partners it is clear that this listening was the gift of the listener, not a guarantee between equals. For Jjuuko, '[i]n some cases... the partners would do exactly what they wanted, without regard to the wishes of the Coalition. *The biggest culprits in this were the states which seemed to put the need to be seen to be doing what their citizens wanted ahead of those of LGBTI organisations and people in Uganda*' (2016: 132) (emphasis added). Even within a context where states had listened enough for local partners to defeat the AHA, there is little evidence of deep listening. Instead, the states supporting the CSCHRCL were

engaging in the kind of multi-scalar listening in which engagement was simultaneously with the local partners, domestic audiences, and other international actors.

In this sense, states supporting the CSCHRCL were engaged in a type of 'shallow listening,' albeit a more self-serving form of shallow listening than Kim-Cohen (2015) likely envisions. The kind of multi-scalar listening that occurred inhibited international partners' capacities to fully engage with the needs of (extremely vulnerable) local LGBTQI groups and their allies. It was also a kind of shallow listening that was deeply attentive to the different contingencies of that political moment but apparently unable or unwilling to perceive the imperial histories that placed international supporters and local partners within a dynamic where the local partners were always located in a position of weakness. To truly attend to these historical contingencies – and to be moved by them – is to seek to re-work the entire international legal landscape in a way that would escape the repetition of imperial patterns of power and action. It is almost inevitable that states would refuse this challenge.

Thus, even carefully managed listening that assists local partners in achieving their aims does not represent the kind of listening that the theoretical literature suggests might be possible. And indeed, this relative success of listening is rare: the diplomatic claims to listen discussed in this paper occurred within a context where previous 'listening exercises' on the part of the US had ended poorly (Cull 2009: 43, Jones 2005). Evidence from community groups (Dhillon 2005, Tett 2005), NGOs and INGOs who made use of discursive frameworks of listening also suggested that promises to listen resulted in problematic power relations (Bergenfeld and Miller 2014, Crack 2013, Fowler 2000:7-8, Yonekura 2000:43), language barriers and discussions at cross purposes (Bergenfeld and Miller 2014: 14, Tesseur 2017: 204) and the privileging of particular developmental 'buzzwords' (Tesseur 2017: 201). Listening then is not the panacea that might be suggested in the public diplomatic quotes above.

Nonetheless, the language of listening and partnership remained a key framework within US public diplomacy on LGBTQI rights.



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In itself, the persistence of a potentially flawed strategy is notable, as it suggests that there are advantages to this framework beyond engagement with local partners. Listening and partnership is presented as a solution to a 'problem', of unequal power relations and accusations that attempts to advance global LGBTQI rights is a manifestation of neo-colonialism or the imposition of foreign values on Global Southern states:

...our approach in advocating for these rights is not to force an agenda on others, or to tell governments and civil societies that they have to do everything just as we've done it – that's a caricature of our position (Power 2016a).

Listening allows the US to claim that it is responding to the needs of others, rather than taking unilateral (colonial) action. Ironically, while listening deeply to local partners would bring to the fore the coloniality that continues to structure international lawscapes, listening here is used to close down that conversation. In this way, diplomatic listening is both an apt and a poor metaphor – it invokes listening's powerful promises in order to make important claims to legitimacy and authority, but in so doing, much of what we would expect from interpersonal listening is lost.

### **A Typology of Listening**

The section above suggested that despite its limitations, there are strategic reasons to maintain a language of listening. In the typology developed below, listening played a twofold role. First listening was spatializing, allowing the US to position itself as a leader within the transnational landscape: 'listening as positionality'. Second, listening became a legitimising device, in which the US could make claims about the 'rightness' of its leadership: 'listening as authority'. The overall effect is one that stabilises a set of spatio-temporal relations within the transnational lawscape. It is important to emphasise that the two elements in this typology are connected and that claims to listen confirm, rather than produce, the positionality and authority discussed below. To return to Rancière, the pertinent distinction is

between those who have a part of the international lawscape and those who do not. The typology below demonstrates both the US's capacity to maintain (or to police) this distinction and the modes of listening by which it does this.

### **Listening as Positionality**

The motif of locally led partnerships was particularly significant in framing US involvement with LGBTQI rights:

So, again, the tools vary depending on the circumstance – you're always asking: Is it going to do more harm than good? And often we defer to the LGBTI communities as to which tools they think are going to be most effective (Power 2016b).

These partnerships are deeply unequal. If the partner is local, particular, and needs help, the US is automatically positioned as global, universal and powerful. This inequality is a key feature of state-based listening: on the surface there is an attempt to undermine the idea of a colonial imposition of LGBTQI rights, but in practice, the power relations and forms of knowledge production that facilitated and maintain sexualised hierarchies of international relations are maintained.

Vertical or hierarchical partnerships are not the only context in which the language of partnership is used:

... it is clear that in our interconnected and interdependent world, it is the responsibility of all of us – governments, civil society and business – working together to take a strong stand against discrimination and injustice. It is critical that we see this multi-sectoral partnership develop (Berry 2016b).

When diplomats describe the US as 'one player among many', they allude to a kind of partnership that allows for networks of relations, influence, money, law and affect that span a diverse international topology in which law and rights attach differently in different terrains. This is public diplomacy that is responding to a changing and complex international landscape of states, global publics, public and private multilateral institutions, businesses, religious organisations, and others.

Amidst transnational fragmentation, these vertical and horizontal

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partnerships affirm the US position within a multi-polar world:

...our strategy leverages American leadership to uphold the liberal international order, which has served the world well for 70 years, by reinforcing rules-of-the road and strengthening and diversifying our alliances and partnerships in every region of the world (Rice 2015).

Against a heteroglossic and multiplicitous background, the US seeks to ensure that as many actors as possible are in agreement with its own vision of international order. In this way, the sexualised hierarchy of international relations starts to look a little more like a network, but it is a network in which the US is able to set the terms of the transnational conversation (Weber 2016: 22).

### **Listening as Authority**

The use of diplomacy by the US to position itself within a network of actors is only one aspect of its operationalisation of the language of listening. A second narrative of listening as authority is used to legitimise and maintain the role of the US as a leader of this network.

The US has traditionally justified its own foreign interventions 'in the classical imperial way, namely as a force for good' (van Ham 2005: 49). Interventions – whether military, diplomatic or trade based – were viewed as morally justified. Thus, diplomatic action in favour of LGBTQI rights is not simply the right thing to do; US diplomatic action in favour of LGBTQI rights is the right thing to do *because it is the US acting*. The US listens, and perceives a duty to act to help LGBTQI people. In fulfilling this duty, it also asserts its identity as a positive force in the world:

We have a responsibility to push back against the rising tide of violence and discrimination against LGBTI persons. We have to acknowledge the fundamental truth that LGBTI violence anywhere is a threat to peace and stability and prosperity everywhere ...

...using our convening power to bring different constituency groups together and providing a safe space often for activists and allies to meet, in many cases when they have nowhere else to meet (Berry 2016a).

Listening to local partners as a form of knowledge production that reinforces US authority in the ‘court of global public opinion’ is particularly noticeable here (Wyne 2009: 40). Recently, persecution of LGBTQI minorities has resulted in pressure on global actors to respond (Ní Mhaoileoin 2017, Wahab 2016). Yet global public opinion is not uniform, and public diplomacy will reach a variety of audiences, fractured into different and cross border forms of belonging. In this way, public diplomacy becomes part of a process of building and managing legitimacy with diverse publics that cuts across traditional political and territorial terrains. Public diplomacy fulfils a twofold function here – emphasising that the cause supported (LGBTQI rights) is valuable, and affirming that the US had the authority to undertake actions to support that cause:

... our work will not be done until that changes – until LGBT rights are universal human rights... And every day we take it as our privilege to make those rights more real for just a few more people – if that’s all that happens, that’s still a good day (Power 2015).

The pattern that emerges is complex. The historical assumption of the rightness of US action meets with an uneven global lawscape within which old hierarchies are unsettled, where new and different assemblages interact, producing effects that ripple through transnational space. Explicit in these excerpts is the idea that, despite claims to listen to local partners, multiple audiences are perceived by the US as it seeks to stamp its authority and values on this complex environment:

President Obama has deepened our commitment to promoting that basic American value: equality ... We believe that all humans are created equal and are worthy of the same love and respect—including our lesbian, gay, bisexual, and transgender brothers and sisters. These beliefs are fundamental to who we are (Rice 2015).

Here, the practice of public diplomacy becomes about the control of information and LGBTQI rights become a communicative strategy where gay friendliness or homophobia carries important political and symbolic weight (Weber 2016:105). In signalling its position, the US also attempts to impose an organisational matrix on a complex

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lawscape – the US listens in order to regulate and control:

A central goal of U.S. foreign policy is the promotion of respect for human rights. We know that the existence of human rights helps secure peace, deter aggression, promote the rule of law, combat crime and corruption, strengthen democracies, and prevent humanitarian crises... Former Secretary of State Hillary Clinton told the United Nations in 2011 “Gay rights are human rights and human rights are gay rights.” Our country has made great strides toward equality throughout its history. We continue on that march today (US Dept of State 2015).

LGBTQI rights become spatio-temporal markers – symbolic striations that organise an increasingly complex global topology. US public diplomatic language not only supports these striations, but reinforces US authority to act to maintain them.

Thus, within the framework of listening as authority and listening as positionality, ‘listening to local partners’ signifies the authority and capacity to act. The US engaged in a kind of multi-scalar listening, in which the voices of local partners played an important role in the justification of US action, but the language of listening and LGBTQI rights was used to impose a regulatory framework that positioned the US at the forefront of a network and shored up its authority to occupy that position. In this iteration of state-based listening, the powerful promise to listen is deployed, but the deployment of listening works towards a politico-legal arrangement of bodies within a lawscape, rather than the challenging intimacy and unpredictable movement of interpersonal listening.

### **Conclusion: Listening as movement, listening as staying still**

Taking seriously Sara Ahmed’s argument that listening is movement affords listening an ontological status – it has the power to re-make the world. More modestly, listening is a practice of rendering forms of communication legible or illegible across a multiplicity of interactions. As the typology developed above demonstrates, state-based listening deploys a state’s multiplicitous and multi-scalar perceptions towards

controlling the positioning of bodies in a lawscape and ensuring a position of authority within that confluence of bodies. Thus the key feature of US public diplomacy on LGBTQI rights was the engagement of listening to re-orient the world and render forms of communication legible *without moving itself*. The US invoked the power and promise of listening without engaging the vulnerability and openness of interpersonal deep listening. It is not the case that listening did not occur at all, or that the commitment to listening did not in itself hold some power. The US was not listening *badly* so much as *differently*.

This matters because, within the classificatory schema of US listening, the very fact of listening to local partners is a process of subjectification (Rancière 1999: 35). To designate a group as a local partner is to reify that group and make it visible within wider international hierarchies. Engaging in these processes of subjectification while maintaining such international hierarchies is dangerous – it re-orientes the focus upon local partners, but does not put in place a structure that can protect those local partners from backlash, particularly once the listener departs (Bergenfield and Miller 2014: 17). Certainly, the kinds of practices discussed in this paper were not a policy priority for the US administration between 2016 and 2020 (Feder 2019). And while the Biden administration may return to an approach more comparable to that of Obama-era public diplomacy, this would not address the deeper issues discussed in this paper: listening would once again become the ‘right’ way to do diplomacy, with no attention to the limitations or indeed the radical potential of listening.

At its most simple, what operates here is an irreconcilable gap between what listening can be – open, precarious and world making – and how the promise to listen was deployed in diplomatic language – stabilising, subjectifying and world-*maintaining*. Listening was not deployed randomly, but as politico-legal mechanism for sustaining power relations that affirmed US leadership. It is also an attempt to designate the ‘traditional’ markers of international law and international relations as axiomatic and timeless. Thus, the state, sovereignty, law,

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and rights were all un-interrogated aspects of successful partnerships: habitual mechanisms of the transnational diplomatic-legal architecture. There is little motivation therefore, to listen to local partners deeply, as doing so invites a challenge to long established international legal hierarchies.

The most obvious response to this might be to acknowledge these limitations and to instead explore liberation beyond state and legal architectures while maintaining an awareness of the dynamics of multi-scalarity, non-linearity and contingency that reverberate within the international legal space (see, for example: Kapur 2018). Yet the promise of listening might be extended beyond this. At the very least, the complexity of listening demands we be more critical and careful when state actors promise to listen. We might seek to clarify exactly what this promise might mean or to follow the example of the CSCHRCL in carefully managing the process of listening. We might also attend closely to the possibilities and promises of listening to consider how state and international architectures might be thought otherwise, even if this utopian vision remains out of reach (Cooper 2019: 3). Challenging the image of the state that is present in the diplomatic promises to listen allows us to identify which elements of the state, as a multi-sited assemblage, might listen more deeply or in a way that might lead to meaningful movement. Or, acknowledging the multi-scalarity of state listening might also lead to a demand for multi-linearity of that listening in a way that accounts for histories that brought us to the point of the designation and reification of the 'listening state' and 'local' partners. This kind of listening challenges long stabilised hierarchies of knowledge production across global terrains, but perhaps points towards the conversations that might be undertaken – and the movement that might flow from such encounters – when we listen carefully for different refrains.

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## Endnotes

1. Parker (2018b: 204) notes that '*the soundscape is always also a lawscape*', but as this case study makes clear, the lawscape is not always a soundscape, although it may give the impression of being such. The diplomatic language cited uses the language of listening but was not itself sonic or acoustic.
2. See Cooper (2019) for a discussion of deliberate withdrawal of actors from the state's regulatory capacity in the context of anti-LGBTQI organising.

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